



# STATE OF WISCONSIN Assembly Journal

December 2003 Extraordinary Session

1:02 P.M.

TUESDAY, January 13, 2004

The Assembly met in the Assembly Chamber located in the State Capitol.

Representative Friske in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Gard in the chair.

The prayer was offered by Representative Van Roy.

Representative Zepnick led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Berceau, Bies, Black, Boyle, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Miller, Molepske, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 95.

Absent with leave – Representatives Balow, Gundrum and Lothian – 3.

Vacancies – 17th Assembly District – 1.

## LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representatives Gundrum and Lothian. Granted.

Representative Turner asked unanimous consent for a leave of absence for today's session for Representative Balow. Granted.

## MOTION FOR EXTRAORDINARY SESSION

January 13, 2004

The following motion was approved by the committee on Assembly Organization:

In accordance with Joint Rule 81(2), it is moved that the Assembly Committee on Organization add to the call for the December 1, 2003, Extraordinary Session to include the consideration of Assembly Bills 727, 729, 730, 732, 734 and 735 and Senate Bills 372, 374, 376, 371 and 378.

Ayes: 5 – Representatives Gard, Foti, Hundertmark, Freese and Vrakas.

Noes: 3 – Representatives Schooff, Richards and Turner.

January 13, 2004

The following motion was approved by the committee on Senate Organization:

In accordance with Joint Rule 81(2), it is moved that the committee on Senate Organization authorize the Legislature expand the purpose of the Extraordinary Session solely for the purpose of taking action of the following proposals: Assembly Bills 727, 729, 730, 732, 734 and 735 and Senate Bills 372, 370, 374, 376, 371 and 378.

Ayes: 3 – Senators Panzer, A. Lasee and Zien.

Noes: 2 – Senators Erpenbach and Hansen.

## COMMITTEE REPORTS

The select committee on **Job Creation** reports and recommends:

### Assembly Bill 655

Relating to: administrative rules, guidelines, policies, and hearings; air pollution control; structures, deposits, and other activities in or near navigable waters; notice, hearing, and review procedures related to permits to place structures and materials and to conduct activities in or near navigable waters; nonmetallic mining reclamation financial assurances;

strategic energy assessments; partial deregulation of telecommunications services; contributions by electric and gas utilities to the utility public benefits fund; grants for energy conservation and other programs; reciprocal agreements for real estate licenses; comprehensive planning by local governmental units; fees imposed by political subdivisions; the confidentiality of patient health care records; apprentice-to-journeyman job-site ratios; the acquisition of in-state banks and in-state bank holding companies; credit agreements; extending the time limit for emergency rule procedures; and granting rule-making authority.

Assembly Substitute Amendment 1 adoption:

Ayes: 6 – Representatives Hundertmark, Nischke, Grothman, D. Meyer, Krawczyk and Ziegelbauer.

Noes: 2 – Representatives Richards and Schooff.

Passage as amended:

Ayes: 6 – Representatives Hundertmark, Nischke, Grothman, D. Meyer, Krawczyk and Ziegelbauer.

Noes: 2 – Representatives Richards and Schooff.

To calendar.

#### **Assembly Bill 727**

Relating to: making patient health care records concerning health care operations inapplicable to restrictions on release without informed consent.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

#### **Assembly Bill 729**

Relating to: petitions by certain telecommunications utilities regarding unbundled network or service elements.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

#### **Assembly Bill 730**

Relating to: the acquisition of in-state banks and in-state bank holding companies.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

#### **Assembly Bill 732**

Relating to: nonmetallic mining reclamation financial assurances.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

#### **Assembly Bill 734**

Relating to: partial deregulation of telecommunications services.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

#### **Assembly Bill 735**

Relating to: strategic energy assessments.

Passage:

Ayes: 5 – Representatives Hundertmark, Nischke, Grothman, D. Meyer and Krawczyk.

Noes: 3 – Representatives Richards, Schooff and Ziegelbauer.

To calendar.

*JEAN HUNDERTMARK*

Chairperson

Select committee on Job Creation

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### **LEAVES OF ABSENCE**

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representatives F. Lasee, Powers, Ward and J. Wood. Granted.

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Colon, Staskunas and A. Williams. Granted.

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Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

1:13 P.M.

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### **RECESS**

The Assembly reconvened.

5:35 P.M.

Speaker Gard in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Pro Tempore Freese in the chair.

Representative Colon asked unanimous consent that his leave of absence be lifted. Granted.

Representative Lasee asked unanimous consent that his leave of absence be lifted. Granted.

Representative Powers asked unanimous consent that his leave of absence be lifted. Granted.

Representative Staskunas asked unanimous consent that his leave of absence be lifted. Granted.

Representative Ward asked unanimous consent that his leave of absence be lifted. Granted.

Representative A. Williams asked unanimous consent that her leave of absence be lifted. Granted.

Representative J. Wood asked unanimous consent that his leave of absence be lifted. Granted.

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## CALENDAR OF TUESDAY, JANUARY 13

### Assembly Bill 655

Relating to: administrative rules, guidelines, policies, and hearings; air pollution control; structures, deposits, and other activities in or near navigable waters; notice, hearing, and review procedures related to permits to place structures and materials and to conduct activities in or near navigable waters; nonmetallic mining reclamation financial assurances; strategic energy assessments; partial deregulation of telecommunications services; contributions by electric and gas utilities to the utility public benefits fund; grants for energy conservation and other programs; reciprocal agreements for real estate licenses; comprehensive planning by local governmental units; fees imposed by political subdivisions; the confidentiality of patient health care records; apprentice-to-journeyman job-site ratios; the acquisition of in-state banks and in-state bank holding companies; credit agreements; extending the time limit for emergency rule procedures; and granting rule-making authority.

Assembly substitute amendment 2 to **Assembly Bill 655** offered by Representatives Gard and Hundertmark.

Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 655** offered by Representatives Gard and Hundertmark.

The question was: Shall Assembly amendment 1 to Assembly substitute amendment 2 to **Assembly Bill 655** be adopted?

Motion carried.

Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 655** offered by Representatives Black and Miller.

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## LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representative Nass. Granted.

Representative Hundertmark moved that Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table.

The question was: Shall Assembly amendment 2 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Sinicki, Steinbrink, Stone, Suder, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 61.

Noes – Representatives Berceau, Black, Boyle, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope-Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Staskunas, Taylor, Travis, Turner, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 33.

Absent or not voting – Representatives Balow, Gundrum, Lothian and Nass – 4.

Motion carried.

Assembly amendment 3 to Assembly substitute amendment 2 to **Assembly Bill 655** offered by Representatives Miller and Black.

Representative Hundertmark moved that Assembly amendment 3 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table.

The question was: Shall Assembly amendment 3 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert,

Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Steinbrink, Stone, Suder, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 60.

Noes – Representatives Berceau, Black, Boyle, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Taylor, Travis, Turner, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 34.

Absent or not voting – Representatives Balow, Gundrum, Lothian and Nass – 4.

Motion carried.

Assembly amendment 4 to Assembly substitute amendment 2 to **Assembly Bill 655** offered by Representative Hebl.

Representative Montgomery moved that Assembly amendment 4 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table.

The question was: Shall Assembly amendment 4 to Assembly substitute amendment 2 to **Assembly Bill 655** be laid on the table?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 58.

Noes – Representatives Berceau, Black, Boyle, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 36.

Absent or not voting – Representatives Balow, Gundrum, Lothian and Nass – 4.

Motion carried.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 655** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Boyle, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Honadel, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Schneider, Schooff, Seratti, Sherman, Shilling, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Zepnick, Ziegelbauer and Speaker Gard – 75.

Noes – Representatives Berceau, Black, Colon, Cullen, Huber, Krug, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Sinicki, Travis, Wasserman, A. Williams and Young – 19.

Absent or not voting – Representatives Balow, Gundrum, Lothian and Nass – 4.

Motion carried.

Representative Miller asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Nass asked unanimous consent that his leave of absence be lifted. Granted.

Representatives Albers, Van Roy and Gronemus asked unanimous consent to be made coauthors of **Assembly Bill 655**. Granted.

The question was: Shall **Assembly Bill 655** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 655** be given a third reading. Granted.

The question was: **Assembly Bill 655** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Colon, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Honadel, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krusick, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Pope–Roberts, Powers, Rhoades, Schooff, Seratti, Sherman, Shilling, Staskunas, Steinbrink, Stone, Suder, Taylor, Towns, Townsend, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 80.

Noes – Representatives Black, Boyle, Cullen, Krug, J. Lehman, Miller, Molepske, Plouff, Pocan, Richards, Schneider, Sinicki, Travis and A. Williams – 14.

Paired for – Representative Balow – 1.

Paired against – Representative Berceau – 1.

Absent or not voting – Representatives Gundrum and Lothian – 2.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 655** be immediately messaged to the Senate. Granted.

### **Assembly Bill 727**

Relating to: making patient health care records concerning health care operations inapplicable to restrictions on release without informed consent.

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## **LEAVES OF ABSENCE**

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representative Cullen. Granted.

Representative Richards moved that **Assembly Bill 727** be referred to the committee on **Health**.

The question was: Shall **Assembly Bill 727** be referred to the committee on **Health**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 727** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 727** be given a third reading. Granted.

The question was: **Assembly Bill 727** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Schneider, Seratti, Stone, Suder, Taylor, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 59.

Noes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 35.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 727** be immediately messaged to the Senate. Granted.

### **Assembly Bill 729**

Relating to: petitions by certain telecommunications utilities regarding unbundled network or service elements.

Representative Richards moved that **Assembly Bill 729** be referred to the committee on **Energy and Utilities**.

The question was: Shall **Assembly Bill 729** be referred to the committee on **Energy and Utilities**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman,

Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 729** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 729** be given a third reading. Granted.

The question was: **Assembly Bill 729** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Zepnick and Speaker Gard – 57.

Noes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Krawczyk, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young and Ziegelbauer – 37.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Krawczyk asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 729** be immediately messaged to the Senate. Granted.

### **Assembly Bill 730**

Relating to: the acquisition of in–state banks and in–state bank holding companies.

Representative Richards moved that **Assembly Bill 730** be referred to the committee on **Financial Institutions**.

The question was: Shall **Assembly Bill 730** be referred to the committee on **Financial Institutions**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Hebl, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Plouff, Pocan, Richards, Schooff, Sherman, Shilling, Sinicki, Staskunas, Taylor, Travis, Turner, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 29.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hines, Honadel, Huber, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Molepske, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Pope–Roberts, Powers, Rhoades, Schneider, Seratti, Steinbrink, Stone, Suder, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 65.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 730** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 730** be given a third reading. Granted.

The question was: **Assembly Bill 730** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Schneider, Seratti, Stone, Suder, Taylor, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 59.

Noes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan,

Pope–Roberts, Richards, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 35.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 730** be immediately messaged to the Senate. Granted.

### **Assembly Bill 732**

Relating to: nonmetallic mining reclamation financial assurances.

Representative Richards moved that **Assembly Bill 732** be referred to the committee on **Natural Resources**.

The question was: Shall **Assembly Bill 732** be referred to the committee on **Natural Resources**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 732** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 732** be given a third reading. Granted.

The question was: **Assembly Bill 732** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 58.

Noes – Representatives Berceau, Black, Boyle, Colon, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 36.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 732** be immediately messaged to the Senate. Granted.

### **Assembly Bill 734**

Relating to: partial deregulation of telecommunications services.

Representative Richards moved that **Assembly Bill 734** be referred to the committee on **Energy and Utilities**.

The question was: Shall **Assembly Bill 734** be referred to the committee on **Energy and Utilities**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Poca, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 734** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 734** be given a third reading. Granted.

The question was: **Assembly Bill 734** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Noes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 734** be immediately messaged to the Senate. Granted.

### **Assembly Bill 735**

Relating to: strategic energy assessments.

Representative Richards moved that **Assembly Bill 735** be referred to the committee on **Energy and Utilities**.

The question was: Shall **Assembly Bill 735** be referred to the committee on **Energy and Utilities**?

The roll was taken.

The result follows:

Ayes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis,

Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Noes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Absent or not voting – Representatives Balow, Cullen, Gundrum and Lothian – 4.

Motion failed.

The question was: Shall **Assembly Bill 735** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 735** be given a third reading. Granted.

The question was: **Assembly Bill 735** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Hahn, Hines, Honadel, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 57.

Noes – Representatives Berceau, Black, Boyle, Colon, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Molepske, Morris, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Taylor, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 37.

Paired for – Representatives Gundrum and Lothian – 2.

Paired against – Representatives Balow and Cullen – 2.

Absent or not voting – None.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 735** be immediately messaged to the Senate. Granted.

## ANNOUNCEMENTS

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of her husband, Lambert, on the occasion of his 78th birthday on January 15. Granted.

Representative Vrakas asked unanimous consent that the Assembly adjourn in honor of his brother, Andy Vrakas, on the occasion of his 40th birthday today. Granted.

Representative Vukmir asked unanimous consent that the Assembly adjourn in honor of her son, Nicholas, who is the State Long Track Speedskating Champion in the Midget Age Division. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in memory of Esther Leah Ritz, who was a patron of the arts and a great person. Granted.

Representative Morris asked unanimous consent that the Assembly adjourn in honor of Marvin Pratt, who is the first African-American Mayor of Milwaukee. Granted.

Representative Taylor asked unanimous consent that the Assembly adjourn in honor of her brother, Jacques Taylor, who received all A's but one A minus during his first year of college. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of Paul's Pantry for its 20 years of service. Granted.

Representative J. Lehman asked unanimous consent that the Assembly adjourn in honor of Doctor Michael and Rachel Stohler, on the occasion of the birth of their son, Lloyd, on November 20, 2003. Granted.

Representative J. Lehman asked unanimous consent that the Assembly adjourn in memory of the former First Lady of Racine, Della Wendt, who passed away last week at the age of 100 and for her community service to the American

Association of University Women and the citizens of Racine. Granted.

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## REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 1 to **Assembly Bill 655**

1. Page 39, line 9: delete "with" and substitute "within".

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## VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Former State Representative and current Milwaukee County Executive Scott Walker, guest of Representative Vukmir.

Former State Representative and current Wisconsin Housing and Economic Development Authority Executive Director Antonio Riley, guest of Representative Montgomery.

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Thursday, January 15.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

8:15 P.M.